

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

In the Application of:

Buskirk, et al.

Serial No.: 09/942,537

Filed: August 29, 2001

For: "Soft and Calcified Tissue
Implants"

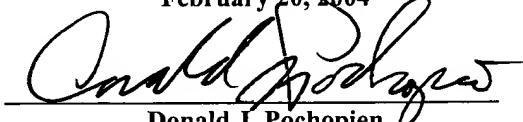
Group Art Unit: 3738

Examiner: Alvin J. Stewart

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. BOX 1450, Arlington, VA 22313-1450, on this date:

February 20, 2004



Donald J. Pochopien
Registration No. 32,167
Attorney for Applicants

RESPONSE TO NOTICE OF AN INCOMPLETE RESPONSE
AND PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. BOX 1450
Arlington, VA 22313-1450

Sir:

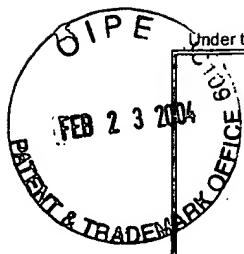
Responsive to the Official Communication of 02/11/04, for which a response is due 03/04/04, the Applicants hereby point out which of claims 6-35 and 64-74 read on the elected species of Group II, FIGs 1B-1E. Specifically, claims 6-35 and 64-66 read on the elected device of Group II, Figures 1B-1E. Claims 67-74 do not.

Please also enter the amendment to claim 31 shown herein.

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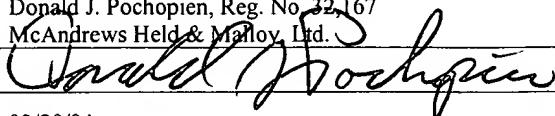
(to be used for all correspondence after initial filing)

TRANSMITTAL FORM		Application Number	09/942,537
		Filing Date	August 29, 2001
		First Named Inventor	Buskirk, et al.
		Group Art Unit	3738
		Examiner Name	Stewart, Alvin J.
Total Number of Pages in This Submission	10	Attorney Docket Number	1915/13879US01

ENCLOSURES (check all that apply)

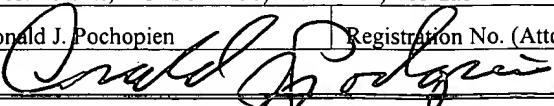
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input checked="" type="checkbox"/> Response To Notice Of An Incomplete Response And Preliminary Amendment <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO 1449/08A with references <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) (sheets) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <input checked="" type="checkbox"/> Reply postcard
Remarks		RECEIVED MAR 01 2004 TECHNOLOGY CENTER R3700

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	Donald J. Pochopien, Reg. No. 32,167 McAndrews Held & Malloy, Ltd.		
Signature			
Date	02/20/04		

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Name (Print/type)	Donald J. Pochopien	Registration No. (Attorney/Agent)	32,167
Signature			Date
			02/20/04